

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JALAAL ABDULLAH,

Plaintiff,

v.

KELLY SANTORO, et al.,

Defendants.

Case No. 1:24-cv-0572 JLT CDB (PC)

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, DISMISSING THE ACTION WITHOUT PREJUDICE, AND DIRECTING THE CLERK OF COURT TO CLOSE THIS CASE

(Doc. 12)

Jalaal Abdullah seeks to hold the defendants liable for violations of his civil rights while he was incarcerated at North Kern State Prison. (*See generally* Doc. 1.) After the Court issued an order screening Plaintiff's complaint (Doc. 10), the U.S. Postal Service returned the Court's order marked "Undeliverable, Not at CSATF/ SP Corcoran, Inactive, Released, Unable to Forward, Return to Sender" on June 9, 2025. The magistrate judge determined that Plaintiff failed to comply with Local Rule 183(b)—which requires parties appearing *in propria persona* to keep the Court informed of their current addresses—and failed to comply with the Court's order concerning the same requirement. (Doc. 12 at 2-3.) The magistrate judge found terminating sanctions are appropriate, after considering the factors identified by the Ninth Circuit in *n re Phenylpropanolamine (PPA) Products Liability Litigation*, 460 F.3d 1217, 1226 (9th Cir. 2006). (*Id.* at 3-5.) Therefore, the magistrate judge recommended the Court dismiss the action without prejudice. (*Id.* at 6.)

1 The Court served the Findings and Recommendations on Plaintiff at the only address on
2 record and informed him that any objections were due within 14 days.¹ (Doc. 12 at 6.) In
3 addition, the Court informed Plaintiff that the “failure to file any objections within the specified
4 time may result in the waiver of certain rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772
5 F.3d 834, 839 (9th Cir. 2014).) Although the Court’s mail was not returned as undeliverable,
6 Plaintiff did not file any objections and the time to do so expired.

7 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
8 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations
9 are supported by the record and proper analysis. Thus, the Court **ORDERS**:

10 1. The Findings and Recommendations issued on July 17, 2025 (Doc. 12) are
11 **ADOPTED** in full.
12 2. The action is **DISMISSED** without prejudice.
13 3. The Clerk of Court is directed to close the case.

14
15 IT IS SO ORDERED.

16 Dated: August 10, 2025


UNITED STATES DISTRICT JUDGE

27
28

¹ The Court’s service is deemed fully effective pursuant to Local Rule 182(f).